

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-70197/RMS/BTC/DLR

Anticipated Classification of this Application:

Class: Subclass:

Prior Application

Examiner: PHAM, M.

Art Unit: 1641

Box CPA FEE

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

"EXPRESS MAIL" MAILING LABEL  
NUMBER EL605084658US  
DATE OF DEPOSIT July 3, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE  
UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND  
IS ADDRESSED TO: BOX CPA FEE, ASSISTANT  
COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.  
TYPED NAME VICKI BRADLEY

SIGNED

07/10/2001 BNSUYEN1 00000126 09438600

01 FC:131  
02 FC:103  
03 FC:104

710.00 OP  
144.00 US  
270.00 UP

**RECEIVED**

**JUL 12 2001**

**TECH CENTER 1600/2900**

This is a request for filing a Continued Prosecution Application under 37 C.F.R. 1.53(d) of pending application Serial No. 09/438,600 filed on November 12, 1999 in the name of Chan-Long Shieh, Barbara Foley, Huinan Yu and Vi-En Choong (Names of ALL Applicants) for BIOCHANNEL ASSAY FOR HYBRIDIZATION WITH BIOMATERIAL (Title of Invention).

(PLEASE NOTE: FILING OF THIS FORM RESULTS IN AUTOMATIC ABANDONMENT OF THE PARENT APPLICATION. THIS FORM CANNOT BE USED AFTER THE ISSUE FEE IN THE PARENT APPLICATION HAS BEEN PAID. THIS FORM CANNOT BE USED FOR PRIORITY APPLICATIONS FILED AFTER MAY 29, 2000.)

1. ☒ The filing fee is calculated below:

Claims remaining in the application after entry of any amendments under 37 C.F.R. 1.116 unentered in the prior application and less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$355	OR		\$710
TOTAL CLAIMS	<u>28</u> -20 = *	<u>8</u>	x 9 =	\$	OR	x18 =	\$ <u>144</u>
INDEP CLAIMS	<u>1</u> -3 = *	<u>0</u>	x40 =	\$	OR	x80 =	\$
[X] MULTIPLE DEPENDENT CLAIM PRESENTED			+135 =	\$	OR	+270 =	\$ <u>270</u>
*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.			TOTAL	\$	OR	TOTAL	\$ <u>1124</u>

2. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-70197/RMS/BTC/DLR).
3. ☒ Our check in the amount of \$ 1124.00 is enclosed.
4. ☒ Cancel in this application original claims 2-15 and 21 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
5. ☐ Enter the amendments under 37 C.F.R. 1.116 filed on \_\_\_\_\_ unentered in the prior application.
6. ☐ Formal drawings to be substituted for the informal drawings filed with the prior application are enclosed.
7. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
8. ☐ A supplemental declaration is enclosed. The Supplemental Declaration does not include the following previously listed inventor(s): \_\_\_\_\_. Please delete this name(s) because the person(s) is not an inventor of the presently claimed invention.
9. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i) with attached form PTO/SB/35 or its equivalent.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

  
Robin M. Silva, Reg. No 38,304

Dated: July 3, 2001

Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989

1056014